

IN THE UNITED STATES DISTRICT COURT
OF THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

SYNQOR, INC.

§

v.

§

No. 2:14-CV-286

CISCO SYSTEMS, INC.

§

SYNQOR, INC.

§

v.

§

No. 2:14CV287

VICOR CORPORATION

§

ORDER REGARDING TRIAL DATE AND OTHER MATTERS

Due to the Court's calendar and the volume of motions pending in the above cases, the Court must continue the trials in the above cases to January 2015. Given this, the undersigned continues the pretrial conference in 2:14cv286 to Tuesday, December 2, 2014 at 10:00 a.m. and the pretrial conference in 2:14cv287 to Thursday, December 4, 2014 at 10:00 a.m. At those times, it is expected the Court will inform the parties of the dates for jury selection and trial. The September 15 hearing in 2:14cv287 remains as scheduled.

At the pretrial conferences, the parties can expect the Court to address the motions in limine and trial procedures. The Court will also consider any objections to the exhibits and deposition designations.

The Court has considered the parties' Joint Motion Regarding the Resolution of Objections to Exhibits and Deposition Designations (Docket Entry #s 177 & 172) and finds it reasonable. Accordingly, the motion is **GRANTED** as follows.

The parties shall engage in meaningful discussions regarding limiting objections to exhibits and deposition designations. The parties shall work together to categorize and winnow objections to disputed issues that can be argued collectively in discrete groupings.

Exhibit Lists

On or before November 17, 2014, the parties shall provide the Court with a notebook containing a description of the remaining objections to the contested exhibits. The parties shall group the exhibits into broad categories that can be argued collectively, including those objections that rise and fall with the Court's resolution of motions in limine or other pending motions. The contested exhibits must be available for review at the previously scheduled pretrial conferences to assist the Court in ruling.

The parties are expected to finalize their trial exhibits based on the Court's rulings on the admissibility of the exhibits and to transport the finalized set of exhibits to Marshall for trial in January.

Deposition Designations

Also on or before November 17, 2014, the parties shall provide the Court a separate notebook, containing the objected to deposition designations. The parties shall also group objections to deposition designations into broad categories that can be argued collectively, including those objections that rise and fall with the Court's resolution of motions in limine or other pending motions. The notebooks will also include the objected-to portions of the deposition transcripts for a given category, with highlighting indicating the party designating the testimony, immediately following each grouping so the Court can more rapidly read the deposition designations as well as the basis for the party's objections.

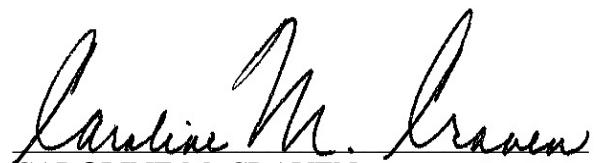
Because of the number of depositions that have been designated in these cases and the fact that a given deposition may touch on numerous topics or be objectionable for numerous different or unique reasons, the parties further agree to meet and confer to:

1. Identify witnesses who the parties intend to bring live to trial and to reach agreements to defer objections to deposition testimony for witnesses who will not be unavailable at trial (with the understanding that the deposition testimony may be used for impeachment when the witness testifies live or relied on by experts);
2. Identify witnesses for whom designations or objections will be withdrawn based on the Court's rulings on motions in limine or other motions;
3. Categorize witnesses with common objections; and
4. Categorize objections within each witness category;
5. Exchange the above proposed groupings along with identification of the testimony to be included within each group and the accompanying transcript excerpts to enable review and discussion.

To the extent any of the Court's rulings on dispositive or *Daubert* motions warrant any changes to the parties' pretrial filings, the parties shall amend the filings accordingly, on or before November 17, 2014.

IT IS SO ORDERED.

SIGNED this 4th day of September, 2014.



CAROLINE M. CRAVEN
UNITED STATES MAGISTRATE JUDGE